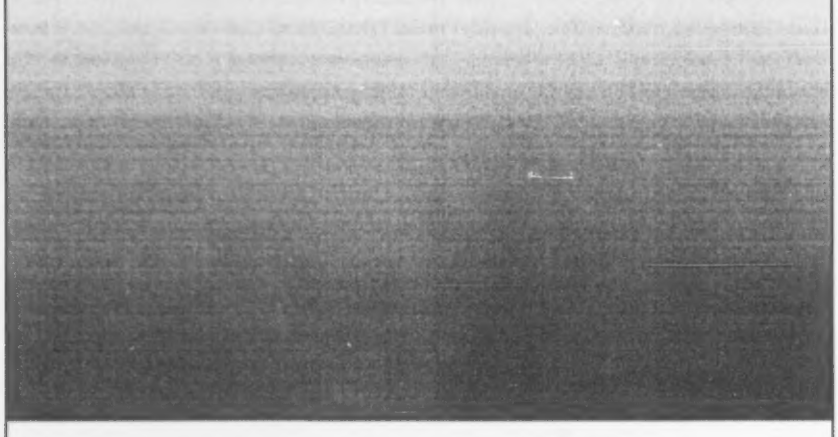
Immigration and Refugee Board of Canada



Part III – Report on Plans and Priorities

2011-12
Estimates

The original version was signed by
The Honourable Jason Kenney
Minister of Citizenship, Immigration and Multiculturalism

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MESSAGE FROM THE CHAIRPERSON

I am pleased to present the *2011-12 Report on Plans and Priorities* for the Immigration and Refugee Board of Canada (IRB).

The IRB is an independent tribunal established by Parliament to resolve immigration and refugee cases efficiently, fairly and in accordance with the law. Through the work of its three divisions, namely the Refugee Protection Division (RPD), the Immigration Division (ID) and the Immigration Appeal Division (IAD), the Board contributes directly to Canada's humanitarian traditions, the security of Canada and the quality of life of Canadians.

OUR OPERATING ENVIRONMENT

The IRB operates in a complex environment where world events and changing country conditions, shifting migration patterns and refugee movements, among other factors, influence the number and type of cases received. While the high intake experienced by the ID and the IAD in recent years is expected to continue, the number of refugee protection claims referred to the RPD in 2011-12 is projected to remain stable.

The elevated intake in previous years has contributed to the growth of substantial backlogs in both the IAD and the RPD. With additional backlog funding provided by the Government and improved operational efficiency, the IRB will reduce the RPD inventory in a significant way until the *Balanced Refugee Reform Act* (BRRA) comes into force, although the resources to be received will not be sufficient to eliminate it. A substantial backlog will remain on the day that the BRRA comes into force.

BUILDING ON OUR STRENGTHS

Over the past several years, the IRB has pursued a transformation agenda that has included enhanced integration across its three divisions; reinforced accountabilities and performance expectations for both managers and decision-makers; and strengthened engagement with stakeholders and personnel on key projects and initiatives. These measures have been key to the IRB's success in becoming a more flexible, adaptable organization, and will serve the Board well in meeting the challenges facing it in the year ahead.

KEY PRIORITIES FOR 2011-12

We have identified the following three strategic priorities for 2011-12, which we expect to maintain in 2012-13 as we continue to implement the changes introduced under the BRRA:

- Prepare for and implement the BRRA;
- Continue to maximize case resolutions while ensuring quality and fairness;
- Continue to promote an adaptive, integrated and flexible organization that values its people.

REFUGEE DETERMINATION REFORM

As a result of the changes to Canada's refugee determination system set out in the BRRA, passed at the end of June 2010, the IRB is in transition as it plans and prepares for implementation. In addition to establishing a Refugee Appeal Division (RAD) in 2011-12, the IRB will put into place a RPD with new processes, whose decision-makers will be public servants rather than persons appointed by the Governor in Council (GIC). Timelines for key steps in the processing of refugee protection claims are or will be legislated.

Successful implementation of these changes is the IRB's key strategic priority in the year ahead, and the necessary resources and expertise have been committed to the initiative to ensure a smooth transition to the new system while maintaining the quality and fairness of Board proceedings.

LOOKING AHEAD

Fiscal year 2011-12 promises to be a year of dramatic change at the IRB. It will be important to work closely with our portfolio partners and communicate throughout with stakeholders and Board personnel as we move ahead. However, I am confident that we will be successful in meeting our commitments, thanks above all to the professionalism, hard work and creativity of our personnel. The Board already enjoys a world-wide reputation for excellence in the adjudication of immigration and refugee matters, and I have no doubt that this reputation will only be strengthened in the years ahead.

The original version was signed by
Brian Goodman
Chairperson

SECTION I
OVERVIEW

RAISON D'ÊTRE AND RESPONSIBILITIES

The Immigration and Refugee Board of Canada (IRB) is an independent, accountable administrative tribunal that was created on January 1, 1989, by an amendment to the *Immigration Act*.

MISSION
Our mission, on behalf of Canadians, is to resolve immigration and refugee cases efficiently, fairly and in accordance with the law

In 2002, the *Immigration Act* was replaced by the *Immigration and Refugee Protection Act* (IRPA), which will be amended by the *Balanced Refugee Reform Act* (BRRA). The IRB's mandate under the IRPA will expand as provisions of the BRRA come into force in 2011-12 and in 2012-13.

IRB Division Mandates
Refugee Protection Division (RPD)
▪ Decides claims for refugee protection ▪ Decides applications for vacation of refugee protection ▪ Decides applications for cessation of refugee protection ▪ Decides on pre-removal risk assessments (PRRA)[1]
Refugee Appeal Division (RAD)[2]
▪ Hears appeals against a decision of the RPD to allow or reject a claim for refugee protection ▪ Hears appeals against a decision of the RPD rejecting an application by the Minister for a determination that refugee protection has ceased ▪ Hears appeals of an application by the Minister to vacate a decision to allow a claim for refugee protection
Immigration Division (ID)
▪ Conducts admissibility hearings for foreign nationals or permanent residents who seek entry into Canada, or who are already in Canada and are alleged to be inadmissible ▪ Conducts detention reviews for foreign nationals or permanent residents who are detained for immigration reasons
Immigration Appeal Division (IAD)
▪ Hears appeals of family sponsorship applications refused by Citizenship and Immigration Canada (CIC) ▪ Hears appeals from certain removal orders made against permanent residents, Convention refugees and other protected persons, and holders of permanent resident visas ▪ Hears appeals by permanent residents against whom a CIC officer outside Canada has decided that they have not fulfilled their residency obligation ▪ Hears appeals by the Minister of Public Safety of ID decisions at admissibility hearings

NOTE: An overview of the IRB is available at www.irb-cisr.gc.ca/eng/brdcom/publications/oveape/Pages/index.aspx

[1] When transferred from CIC, see page 15 for more details.

[2] When proclaimed, see page 17 for more details.

REGIONAL OPERATIONS

The IRB carries out its work in three regional offices located in Toronto, Montréal and Vancouver. The Central Region is responsible for Ontario, except for Ottawa; the Eastern Region for Quebec, Ottawa and the Atlantic provinces; and the Western Region for the Western provinces. All three divisions hold hearings in these regions, supported by adjudicative and corporate support. The IRB also has offices in Calgary and Ottawa in which hearings are held. Internal and support services are managed at IRB Headquarters, located in Ottawa.

ADMINISTRATIVE JUSTICE

Through the work of each division, the IRB strives to deliver a simpler, more accessible and expeditious form of justice than that provided by the courts, but with no less attentiveness to procedural fairness, the rigour of the law and its application to the particular facts of each case. The IRB applies the principles of administrative law, including those of natural justice, in its proceedings and resolutions, and decisions are rendered in accordance with the law, including the *Canadian Charter of Rights and Freedoms*.

The IRB is committed to fairness in all aspects of its work. The Board respects the dignity and diversity of the individuals who appear before it, some of whom have experienced very difficult circumstances.

BENEFITS FOR CANADIANS

Immigrants and refugees have always contributed significantly to Canada's growth and development. The IRB ensures continued benefits to Canadians in three important ways:

- In the hearing of refugee protection claims and the resolution of refugee protection appeals, it ensures that Canada accepts those in need of protection in accordance with international obligations and Canadian law;
- Through admissibility hearings and detention reviews, it contributes to the integrity of our immigration system, ensures the maintenance of the balance between individual rights and the safety and security of Canadians, and upholds Canada's reputation for justice and fairness for individuals;
- As an independent tribunal responsible for resolving sponsorship, removal order and residency obligation appeals, it helps to promote family reunification, helps to ensure Canadians' safety and security, and safeguards the integrity of Canada's immigration system.

The IRB also contributes more broadly to the quality of life of Canada's communities by strengthening our country's social fabric and by reflecting and reinforcing the core values that are important to Canadians. These include respect for human rights, peace, security and the rule of law.

STRATEGIC OUTCOME AND PROGRAM ACTIVITY ARCHITECTURE

The IRB Program Activity Architecture (PAA) was amended in the second half of the 2010-11 reporting period in anticipation of the coming into force of the BRRA. A crosswalk describing the changes is provided on the next page. This Report on Plans and Priorities (RPP) is based on the IRB's newly legislated mandate and recently updated PAA. The IRB has a single strategic outcome and four program activities that include responsibility for all tribunal decisions and resolutions. The fifth program activity, Internal Services, supports the first four as illustrated in the diagram below.

Strategic Outcome
Resolve immigration and refugee cases before the Immigration and Refugee Board of Canada efficiently, fairly and in accordance with the law
Refugee Protection Program Activity
Renders quality decisions and otherwise resolves cases in a timely manner regarding:
Refugee protection claims made by persons in Canada
PRRA of persons subject to a removal order[1]
Refugee Appeal Program Activity[2]
Renders quality decisions and otherwise resolves cases in a timely manner regarding:
Appeals against RPD decisions concerning refugee protection claims
Admissibility Hearings and Detention Reviews Program Activity
Renders quality decisions and otherwise resolves cases in a timely manner regarding:
Admissibility of foreign nationals or permanent residents who are alleged to be inadmissible to Canada pursuant to the provisions of the IRPA
Detention reviews for foreign nationals or permanent residents who are detained under the IRPA
Immigration Appeal Program Activity
Renders quality decisions and otherwise resolves cases in a timely manner regarding:
Sponsorship applications refused by CIC
Certain removal orders made against permanent residents, refugees and other protected persons, and holders of permanent resident visas
Permanent residents who have been found outside of Canada not to have fulfilled their residency obligation
Appeals by the Minister of Public Safety of ID decisions at admissibility hearings
Internal Services Program Activity
Management and Oversight
Communications
Legal
Human Resources Management
Financial Management
Information Management
Information Technology
Procurement and Assets Management
Internal Audit and Evaluation

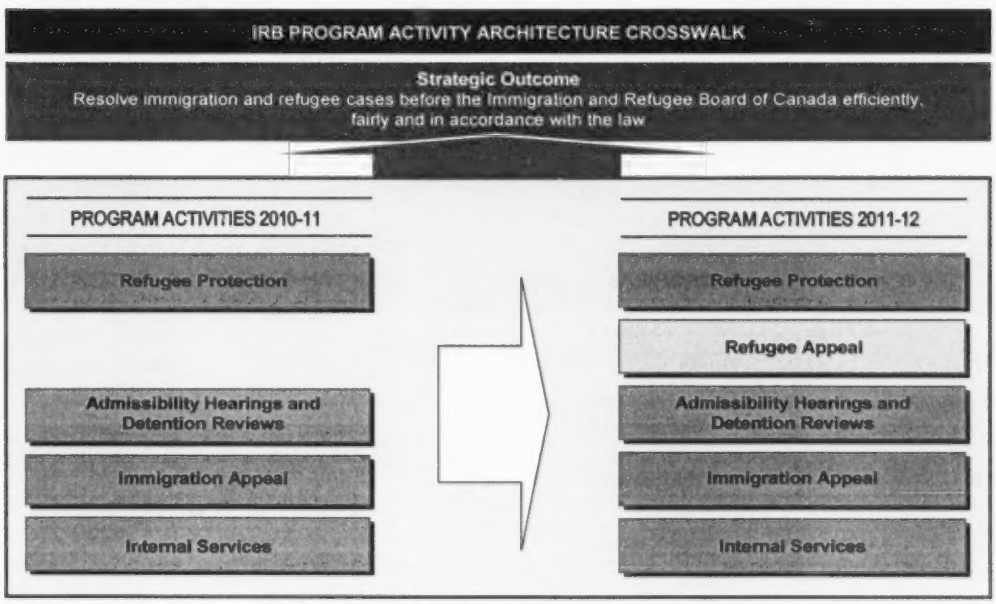
[1] When transferred from CIC, see page 15 for more details.
[2] When proclaimed, see page 17 for more details.

PROGRAM ACTIVITY ARCHITECTURE CROSSWALK

The IRB required amendments to its previously approved PAA to reflect the changes to the IRB's program activities brought about by the BRRA, which received Royal Assent on June 29, 2010. The provisions of the BRRA that affect the Refugee Protection program and the Refugee Appeal program will come into force no later than June 29, 2012. The transfer of the PRRA functions (except those cases requiring a balancing of the security and protection interests of Canada) from CIC to the IRB will take place no later than 12 months after the changes to the Refugee Protection and Refugee Appeal programs come into force. As of January 2011, the IRB expects the BRRA and the PRRA transfer to the IRB to come into force in late 2011 and in late 2012, respectively.

As required by the new legislation, the establishment of a refugee appeal function at the IRB required the addition of a new Refugee Appeal program activity as illustrated below. The transfer of the PRRA function to the IRB only required a small modification to the existing Refugee Protection program activity.

Operating costs for the Refugee Appeal program will be funded from an internal reallocation of existing financial resources from the Refugee Protection program activity as well as incremental funding received from the Refugee Reform initiative.


IRB PROGRAM ACTIVITY ARCHITECTURE CROSSWALK
Strategic Outcome
Resolve immigration and refugee cases before the Immigration and Refugee Board of Canada efficiently, fairly and in accordance with the law
PROGRAM ACTIVITIES 2010-11
Refugee Protection
Admissibility Hearings and Detention Reviews
Immigration Appeal
Internal Services
PROGRAM ACTIVITIES 2011-12
Refugee Protection
Refugee Appeal
Admissibility Hearings and Detention Reviews
Immigration Appeal
Internal Services

PLANNING SUMMARY

FINANCIAL AND HUMAN RESOURCES

Financial Resources ($ Millions)		
2011-12	**2012-13**	**2013-14**
153.0	134.3	130.1

Human Resources (Full-time Equivalents [FTEs])		
2011-12	**2012-13**	**2013-14**
1,186	1,163	1,142

PLANNING SUMMARY TABLE

Planning Summary Table

STRATEGIC OUTCOME
Resolve immigration and refugee cases before the Immigration and Refugee Board of Canada efficiently, fairly and in accordance with the law

PERFORMANCE INDICATOR	**TARGET**
▪ Percentage of IRB decisions overturned by the Federal Court (This quality indicator is used in addition to the indicators described in the program activities; see Section II for more details.)	▪ Less than 1%

Program Activity[1]	**Forecast Spending ($ Millions)**	**Planned Spending ($ Millions)**			**Alignment to Government of Canada Outcome Area**[2]
	2010-11	**2011-12**	**2012-13**	**2013-14**	
Refugee Protection	64.3	75.0	44.4	42.8	A safe and secure world through international engagement
Refugee Appeal	n/a[3]	14.0	31.3	28.8	A safe and secure world through international engagement
Admissibility Hearings and Detention Reviews	12.6	13.6	11.8	11.8	A safe and secure Canada
Immigration Appeal	16.8	14.7	14.7	14.7	A safe and secure Canada
Internal Services	33.2	35.7	32.1	32.0	n/a
Total Planned Spending	**126.9**	**153.0**	**134.3**	**130.1**	

[1] For program activity descriptions, please access the Main Estimates online at www.tbs-sct.gc.ca/est-pre/index-eng.asp.
[2] Alignment to Government of Canada (GOC) outcomes and benefits for Canadians are further discussed in Section II under each of the program activities.
[3] The Refugee Appeal program activity will begin in fiscal year 2011-12.

IRB STRATEGIC PRIORITIES

Shortly after the BRRA received Royal Assent on June 29, 2010, the IRB added a new strategic priority to its existing two. The IRB's priorities for 2011-12 are expected to remain throughout 2012-13 and are summarized in the following table.

2011-12 Strategic Priorities		
STRATEGIC OUTCOME Resolve immigration and refugee cases before the Immigration and Refugee Board of Canada efficiently, fairly and in accordance with the law		
Priorities	**Type**	**Description**
Prepare for and implement the BRRA	Operational New	The IRB will take all the necessary steps to implement the new legislation within the time frame set by the Government. These preparations and the required implementation activities will greatly influence the IRB's operating environment during 2011-12. The Reform Office, established during the previous reporting period, will continue to coordinate reform implementation activities. The IRB expects to implement major changes to the processes in the Refugee Protection program activity. New processes will be developed and implemented for the new Refugee Appeal program activity. Planning and implementation will be accomplished with minimal impact on daily operations and case resolution productivity levels will be maintained.
Continue to maximize case resolutions while ensuring quality and fairness	Operational Ongoing	The IRB will continue to assess and recommend qualified candidates to the Minister for appointment in order to maintain a full complement of Governor in Council (GIC) decision-makers. As part of the new refugee determination system, public servant decision-makers will also be selected in accordance with the *Public Service Employment Act* (PSEA). Learning and training programs will be further enhanced. The Board will continue to develop options to address the legacy pending case inventory and pursue backlog reduction strategies.
Continue to promote an adaptive, integrated and flexible organization that values its people	Management Ongoing	The IRB will continue to ensure the consistent delivery of high-quality administrative justice within a changing environment. In 2011-12, the IRB will adapt to the changes brought about by the reform of the refugee determination system. Emphasis will also be placed on human resources management practices.

RISK ANALYSIS

OPERATING ENVIRONMENT

The IRB carries out its mandate within a complex and ever-changing environment that is influenced by international and domestic factors. Conflicts and country conditions abroad can result in refugee movements, which affect the number of refugee protection claims made in Canada. Similarly, shifts in international migration patterns and changes to domestic policies by other receiving countries impact the number of people seeking admission to Canada.

REFUGEE POPULATIONS. The report *Asylum Levels and Trends in Industrialized Countries 2009*, published by the United Nations High Commissioner for Refugees (UNHCR),[1] shows that 377,200 asylum claim applications were submitted in the 44 main industrialized countries during the 2009 calendar year. This is roughly the same number as in 2008, when 377,100 asylum claim applications were submitted. After the United States and France, Canada was the third largest recipient of applications among the 44 countries with 33,300 new asylum claims registered during the 2009 calendar year. This is a 10 percent decrease compared to 2008 (36,900 claims). The number of claims referred to the IRB declined following the Government's imposition of a visa requirement for Mexican and Czech nationals wishing to travel to Canada. This policy measure came into effect in mid-July 2009, and has since reduced the number of protection claim referrals from these two high-volume source countries.

IMMIGRATION APPEALS. The Government of Canada continues to place a priority on family reunification, as expressed in the IRPA and CIC's *Annual Report to Parliament on Immigration: 2010.*[2] With an ever-growing immigrant population, it is expected that family class sponsorship applications will be maintained at the high levels seen over the past five years and, accordingly, the IRB anticipates receiving a high number of family sponsorship appeals during 2011-12.

CHALLENGES

APPOINTMENT OF DECISION-MAKERS. Currently, the IRB depends on decision-makers who are appointed by the GIC following a rigorous merit-based selection process to resolve refugee protection claims and immigration appeals. With the implementation of the BRRA, RPD decision-makers will be appointed in accordance with the PSEA. Decision-makers in the newly created RAD and in the IAD will be GIC appointees. In order to maintain a full complement of decision-makers, the IRB will continue to recommend in a timely fashion qualified candidates to the Minister for consideration for appointment. Since a combination of internal and external staffing processes will be required to meet operational needs in the new RPD, the IRB will mitigate the risk associated with these processes by ensuring that a sufficient pool of qualified candidates is available in time for the implementation of the new legislation.

PENDING CASE INVENTORY. At the end of December 2010, there were approximately 51,000 refugee protection claims and 11,500 immigration appeals pending. This backlog had accumulated in past years due to shortfalls in the number of GIC decision-maker appointments and reappointments and to a case intake that was well above the IRB's funded capacity. Most decision-maker vacancies have now been filled. During 2010-11, in an effort to facilitate the implementation of the refugee determination system under the BRRA, the IRB received additional funding for a special backlog reduction project that will continue until the coming into force of the BRRA in 2011-12. Additional decision-makers were appointed by the GIC to the RPD for the purpose of backlog reduction. While this initiative is expected to result in a

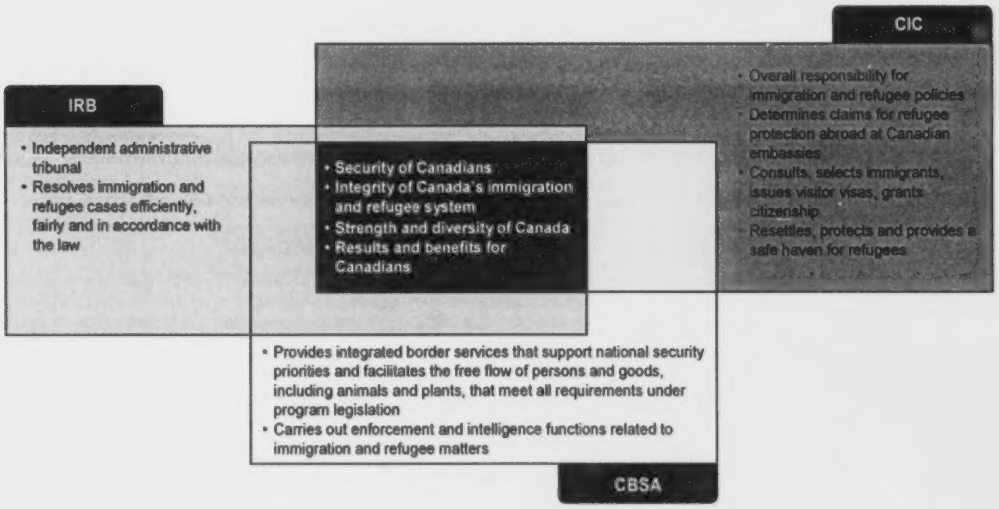
[1] Report available on UNHCR Web site: www.unhcr.org
[2] Report available at www.cic.gc.ca/english/pdf/pub/immigration2010_e.pdf

reduction of the backlog, the IRB will have a significant number of "legacy" cases in the inventory when the BRRA comes into force. The IRB will not have the resources to resolve these cases under the new regime.

SYSTEM FOR TRACKING APPELLANTS AND REFUGEES (STAR). The IRB relies on a legacy case management system known as STAR, which has inherent risks related to the integrity of the system's data and security controls. Although the system has never suffered a serious breach or breakdown, the IRB is actively mitigating associated risks. During 2011-12, the Board will work with the Treasury Board Secretariat (TBS) to modernize, in a sustainable and secure manner, its primary case tracking and reporting systems to support the new business models and requirements necessitated by the reformed refugee determination system.

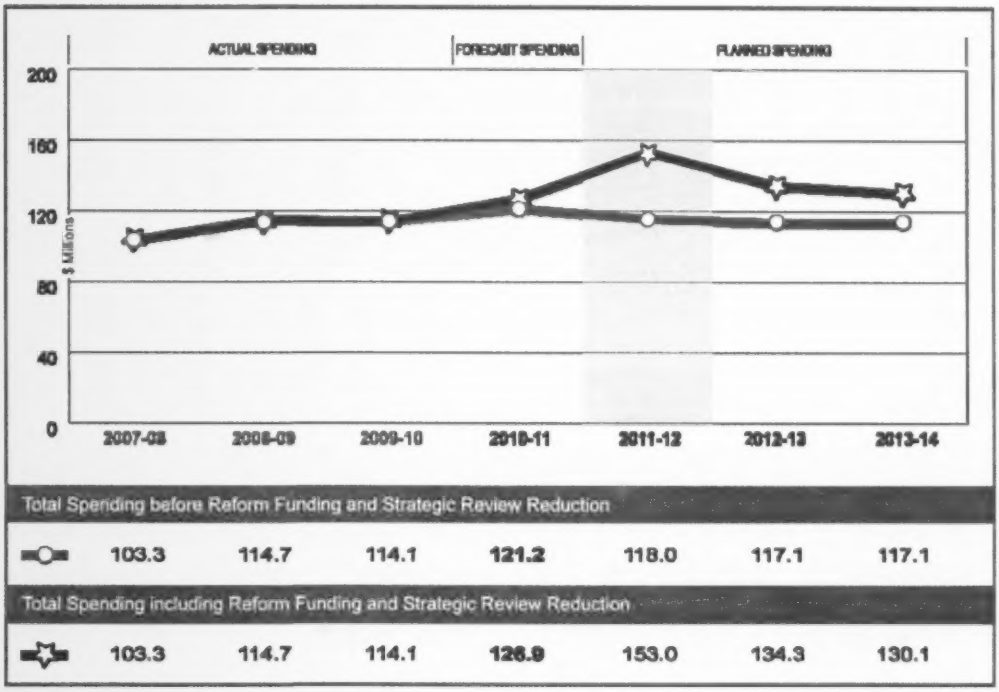
OPPORTUNITIES

PORTFOLIO MANAGEMENT. As organizations in the immigration portfolio, the IRB, CIC and the Canada Border Services Agency (CBSA) collaborate on operational matters while respecting each other's distinct mandates and the IRB's adjudicative independence. A trilateral Memorandum of Understanding (MOU) clearly defines institutional relationships and reflects the current operational environment and priorities of the partners. This collaborative approach creates opportunities to improve communication and operational coordination. The following diagram illustrates the immigration and refugee portfolio organizations and their responsibilities.


CIC
• Overall responsibility for immigration and refugee policies
• Determines claims for refugee protection abroad at Canadian embassies
• Consults, selects immigrants, issues visitor visas, grants citizenship
• Resettles, protects and provides a safe haven for refugees
IRB
• Independent administrative tribunal
• Resolves immigration and refugee cases efficiently, fairly and in accordance with the law
• Security of Canadians
• Integrity of Canada's immigration and refugee system
• Strength and diversity of Canada
• Results and benefits for Canadians
• Provides integrated border services that support national security priorities and facilitates the free flow of persons and goods, including animals and plants, that meet all requirements under program legislation
• Carries out enforcement and intelligence functions related to immigration and refugee matters
CBSA

EXPENDITURE PROFILE

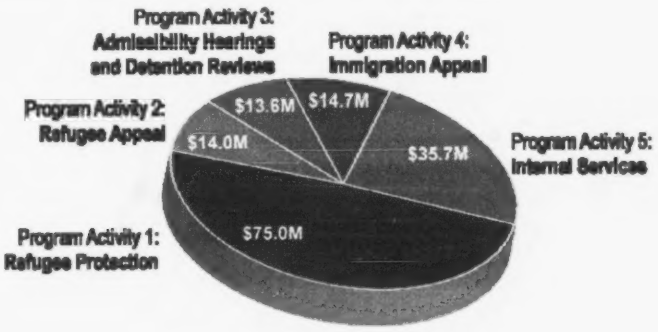
SPENDING TREND 2007-08 to 2013-14



	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
Total Spending before Reform Funding and Strategic Review Reduction	103.3	114.7	114.1	121.2	118.0	117.1	117.1
Total Spending including Reform Funding and Strategic Review Reduction	103.3	114.7	114.1	126.9	153.0	134.3	130.1

Actual spending in 2007-08 was lower than other years due to delays in appointments and reappointments of GIC decision-makers and vacant public service positions, which resulted in fewer adjudicative decisions rendered and translated than originally estimated. For 2010-11, the forecast spending of $121.2M includes sunset funding of approximately $11.0M (mainly Reform related) and a reduction of $2.5M related to the Strategic Review. The planned spending figures for future years reflect the impact of incremental Reform funding ($39.0M in 2011-12, $23.0M in 2012-13 and $19.0M in 2013-14), which is partially offset by the cumulative Strategic Review reductions ($4.1M in 2011-12 and reaching $5.7M in 2012-13 and thereafter).

ALLOCATION OF FUNDING BY PROGRAM ACTIVITY

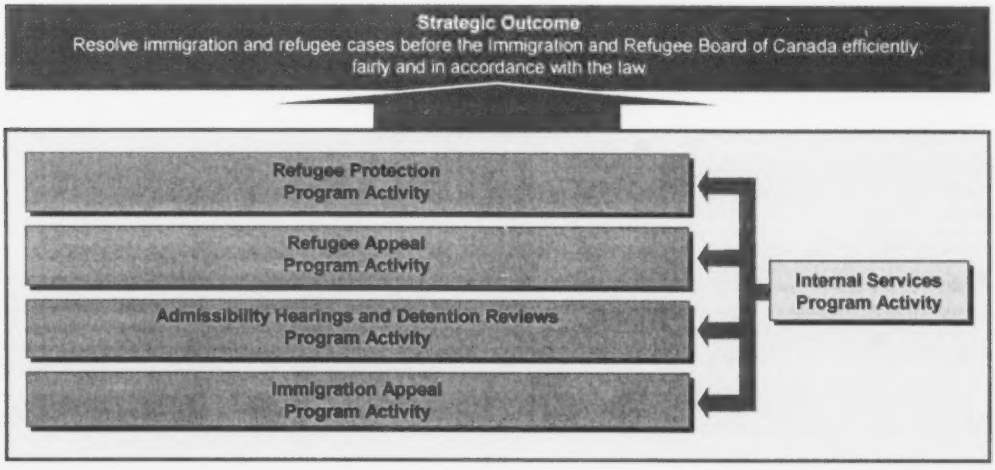


ESTIMATES BY VOTE

For information on our organizational votes and/or statutory expenditures, please see the 2011-12 Main Estimates publication. An electronic version of the Main Estimates is available at www.tbs-sct.gc.ca/est-pre/20112012/me-bpd/toc-tdm-eng.asp.

SECTION II
ANALYSIS OF PROGRAM ACTIVITIES

STRATEGIC OUTCOME AND PROGRAM ACTIVITIES


Strategic Outcome
Resolve immigration and refugee cases before the Immigration and Refugee Board of Canada efficiently, fairly and in accordance with the law
Refugee Protection Program Activity
Refugee Appeal Program Activity
Admissibility Hearings and Detention Reviews Program Activity
Immigration Appeal Program Activity
Internal Services Program Activity

As discussed in Section I, based on the IRB's legislated mandate and approved PAA, the IRB has a single strategic outcome. Each of the four core program activities are focused on the efficient and fair resolution of the different types of immigration and refugee cases that are before the Board. Combined and supported by Internal Services, they are responsible for all tribunal decisions and case resolutions, and for a successful strategic outcome.

The achievement of the IRB's strategic outcome will be dependent on both the quantity and the quality of the output. For instance, a large number of cases must be finalized every year in order to avoid lengthy delays for individuals waiting for a decision on their case. At the same time, the quality and fairness of each decision must be assured.

The following pages further describe these program activities, identifying expected results, performance indicators and targets, as well as outlining the resources dedicated to each of the five activities.

PROGRAM ACTIVITY 1

REFUGEE PROTECTION

DESCRIPTION

The Refugee Protection Division (RPD) delivers the IRB's **Refugee Protection program activity.** It determines claims for refugee protection made in Canada. Processing of refugee protection claims is the main focus of the IRB's activities and resources. Through the work of the RPD, Canada fulfills its obligations as a signatory to a number of international human rights conventions.

Additional information on the RPD is available at
www.irb-cisr.gc.ca/eng/tribunal/rpdspr/pages/index.aspx

Program Activity: REFUGEE PROTECTION					
Human Resources (FTEs) and Planned Spending ($ Millions)					
2011-12		2012-13		2013-14	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
582	75.0	415	44.4	413	42.8

Expected Result	
Quality decisions rendered and cases resolved in a timely manner regarding refugee protection claims made in Canada	
Performance Indicators	**Targets**
Clarity, completeness, conciseness and timeliness of decisions	Target is *"Meet Expectations"*, on a scale currently being developed. (With the coming into force of the BRRA, this program activity is scheduled for reform in late 2011. Measurements of decision quality for this program activity will be validated during the last quarter and reporting will begin in 2012-13).
Percentage of cases finalized without a hearing	In the current system (until late 2011), it is expected that 5% of cases will be finalized without a hearing (expedited process). See note below.
Ratio of finalized cases to referred cases	Approximately 23,500 refugee protection claim referrals are expected to be received in 2011-12. In a combination of the existing and new system, we expect to finalize approximately 25,000 claims. This would result in a ratio of finalized to referred cases of 106%.
Average cost per claim finalized	The average cost per finalized claim is expected to be approximately $3,000.
Average case processing time	It is expected that the average processing time (from referral to finalization) will stabilize at 22.0 months for legacy claims in the current system. See note below.

NOTE: Performance indicators and targets for this program activity in the new system will be developed during 2011-12.

2011-12 PLANNING HIGHLIGHTS

REFORM TIMELINES. As a result of the BRRA, the determination of refugee protection claims will go through a major transition during 2011-12. Cases will continue to be heard in the current system until late 2011, after which the new refugee determination system is expected to come into force.

PREPARATION FOR IMPLEMENTATION. While case resolution activities continue within the current system, major efforts will be undertaken to prepare for the more efficient and streamlined refugee determination system to begin in late 2011. Decision-makers in the new RPD will be employees appointed in accordance with the PSEA. New rules for refugee protection claims compatible with the BRRA will be adopted. New policies, procedures and processes will be developed and coordinated internally following consultations with stakeholders. Training will also be developed and delivered for a large proportion of RPD personnel.

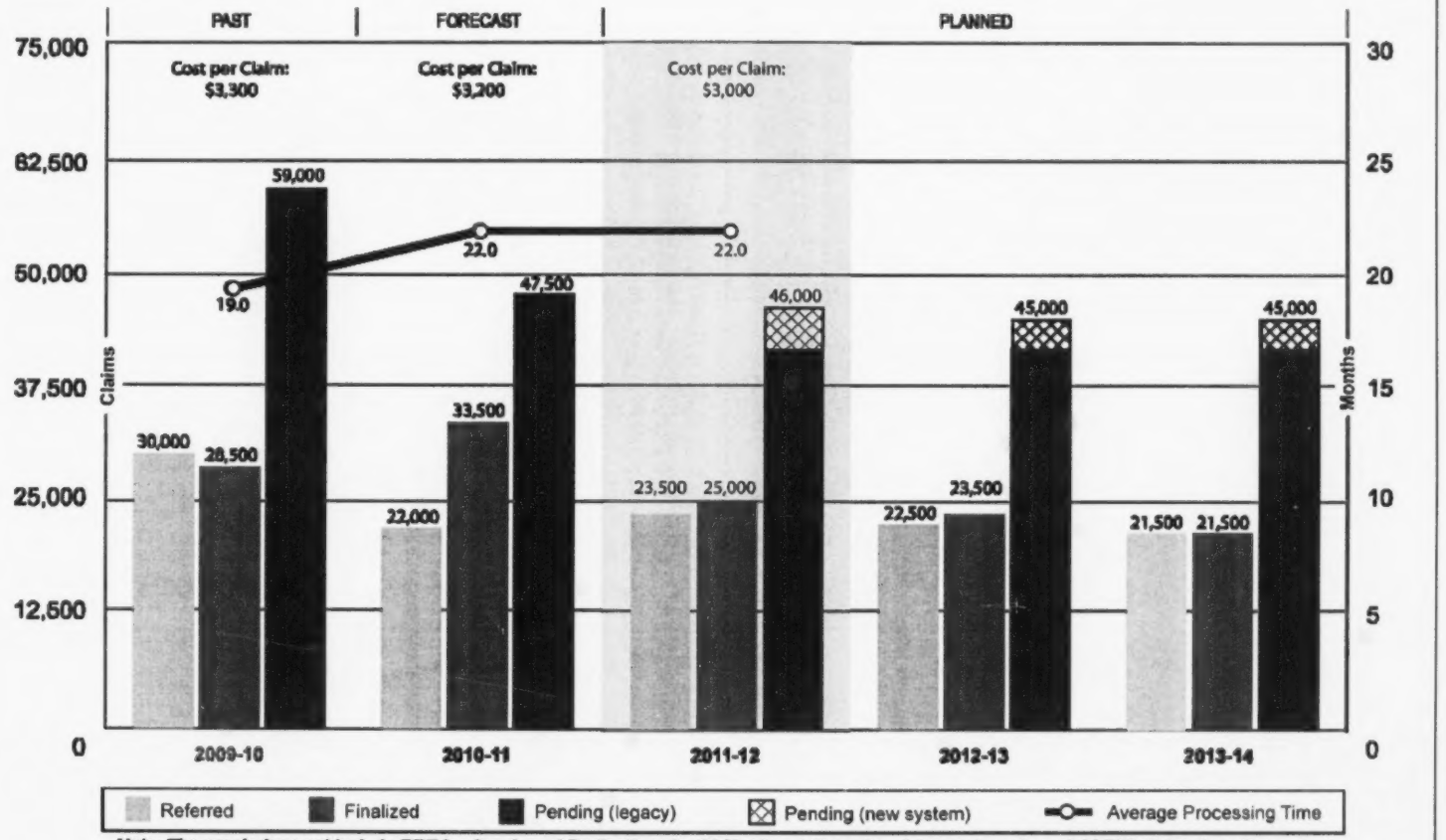
CASE INVENTORY. There will be approximately 47,500 refugee protection claims waiting to be heard at the beginning of 2011-12. This accumulated inventory is well beyond the Division's capacity to address within existing resource levels. As illustrated on the next page, finalizations are expected to slightly exceed referrals during 2011-12. A backlog reduction initiative, with the temporary appointment of additional GIC decision-makers and adjudicative support staff, was put in place during 2010-11. This initiative will continue into 2011-12 until the implementation of the new system. An increase in finalizations over referrals and the backlog reduction initiative are expected to result in a reduction in the case inventory; however, there will still be a substantial number of unfunded pending claims on the date the new legislation comes into force.

PRE-REMOVAL RISK ASSESSMENT. The transfer of the PRRA function (except those cases requiring a balancing of the security and protection interests of Canada) from CIC to the IRB will take place no later than 12 months after the other changes to the Refugee Protection program under the BRRA come into force. Although these activities are not expected to begin until 2012-13, planning for the transfer will occur during 2011-12.

BENEFITS FOR CANADIANS

Through the work of the Refugee Protection program activity, Canada provides a safe haven to persons with a well-founded fear of persecution as well as to those facing a danger of torture or a risk to their life, or a risk of cruel and unusual treatment or punishment if returned to their country of origin. This contributes to a safe and secure environment and to Canada's fulfilment of its international obligations.

Refugee Protection



Note: The graph does not include PRRA referrals and finalizations for 2012-13 and thereafter. A legacy inventory of 41,500 claims from the current system is anticipated, for which no funding is currently provided. Average case processing time predicted for legacy cases (current system) only. The numbers of claims have been rounded off to the nearest hundred.

PROGRAM ACTIVITY 2

REFUGEE APPEAL

DESCRIPTION

The Refugee Appeal Division (RAD) delivers the IRB's **Refugee Appeal program activity.** It hears appeals from decisions of the Refugee Protection Division (RPD). The claimant or the Minister can appeal on a question of law, of fact or of mixed law and fact. The RAD will normally proceed without an oral hearing on the basis of the RPD record. The RAD may accept documentary evidence and written submissions from the Minister and the appellant, and written submissions from a representative of the UNHCR. Under clearly defined circumstances, the RAD may hold an oral hearing.

Note: This program activity is only expected to begin in the last quarter of 2011-12.

Program Activity: REFUGEE APPEAL					
Human Resources (FTEs) and **Planned Spending** ($ Millions)					
2011-12		**2012-13**		**2013-14**	
FTEs	**Planned Spending**	**FTEs**	**Planned Spending**	**FTEs**	**Planned Spending**
96	14.0	264	31.3	245	28.8
Expected Result					
Quality decisions rendered and cases resolved in a timely manner regarding refugee protection appeals					
Performance Indicators		**Targets**			

The BRRA states that the Act may come into force two years after Royal Assent, which was received on June 29, 2010, or at an earlier date that may be fixed by the GIC. At this time, the IRB is planning for the initial phase of this new program activity to begin in late 2011.
Performance indicators and targets for this new program activity will be developed during the first three quarters of 2011-12 and will be validated in the last quarter.

2011-12 PLANNING HIGHLIGHTS

REFORM TIMELINES. Cases will only start to flow into the Refugee Appeal program activity when refugee protection claims are decided after the coming into force of the new system. Since new refugee determination system activities in the Refugee Protection program activity are only expected to begin in late 2011, we do not anticipate that a significant level of Refugee Appeal core activities will begin before the end of the fourth quarter of the 2011-12 reporting period.

PREPARATION FOR IMPLEMENTATION. During 2011-12, the majority of activities will be focused on the development and creation of the new RAD. These include the following:

- Human resources activities will be two-fold as the RAD will be staffed with decision-makers appointed by the GIC and public servants in adjudicative support roles. Persons appointed by the GIC who are on strength when the BRRA comes into force can be assigned to the RAD. In the event that the number of GIC appointees on strength is insufficient to fill the anticipated number of positions in the RAD, the IRB will also develop selection criteria and recommend qualified candidates to the Minister of Citizenship, Immigration and Multiculturalism for appointment by the GIC as decision-makers. In addition, the IRB will develop selection criteria, recruit and select personnel in accordance with the PSEA for the public service component of the RAD;
- Rules for the conduct of refugee appeal hearings will be developed and submitted for approval by the GIC, and communicated to stakeholders;
- Policies, procedures and processes for the conduct of refugee appeal hearings will be developed and coordinated following consultations with stakeholders;
- Public service and GIC personnel will be trained;
- Infrastructure requirements will be established and addressed.

BENEFITS FOR CANADIANS

Through the work of the Refugee Appeal program activity, Canada provides a safe haven to persons with a well-founded fear of persecution as well as to those facing a danger of torture or a risk to their life, or a risk of cruel and unusual treatment or punishment if returned to their country of origin. This contributes to a safe and secure environment and to Canada's fulfilment of its international obligations.

PROGRAM ACTIVITY 3

ADMISSIBILITY HEARINGS AND DETENTION REVIEWS

DESCRIPTION

The Immigration Division (ID) delivers the **Admissibility Hearings and Detention Reviews program activity.** It holds hearings for foreign nationals or permanent residents who, under the provisions of the IRPA, are alleged to be inadmissible to Canada or are detained. Detainees must be seen by the ID within 48 hours after their referral, or without delay thereafter, and subsequent reviews must be conducted within specific statutory time frames. Decision-makers must balance the right to individual liberty with the security interests of Canadians.

Additional information on the ID is available at www.irb-cisr.gc.ca/eng/tribunal/idsi/pages/index.aspx

Program Activity: ADMISSIBILITY HEARINGS AND DETENTION REVIEWS					
Human Resources (FTEs) and Planned Spending ($ Millions)					
2011-12		2012-13		2013-14	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
82	13.6	68	11.8	68	11.8
Expected Result					
Quality decisions rendered and cases resolved in a timely manner regarding admissibility hearings and detention reviews					
Performance Indicators		Targets			
Clarity, completeness, conciseness and timeliness of decisions		Target is *"Meet Expectations"*, on a scale currently being developed.			
Percentage of admissibility hearing cases concluded to referred cases		95-98%[1]			
Percentage of concluded detention review cases within statutory time frame		96-98%[2]			
Average cost of admissibility hearing		$1,000			
Average cost of detention review		$800			
Percentage of admissibility hearings concluded with a hearing within six months from referral		86-90%[1]			

[1] Detention reviews take priority over admissibility hearings due to legislative time requirements. The number of referrals from the CBSA affects the capacity of the ID to conduct admissibility hearings.

[2] Factors outside the IRB's control, such as prison lockdowns, impede the achievement of 100 percent compliance.

2011-12 PLANNING HIGHLIGHTS

SUSTAINED AND MORE COMPLEX WORKLOAD. The number of cases concluded by the ID depends largely on the number of cases referred by the CBSA. In its daily activities, the Division must deal with significant fluctuations in the number of detention reviews it is called upon to conduct. Through ongoing efforts to maintain efficiencies, the ID continues to match its output with its intake and to respect legislated time frames.

During 2011-12, it is anticipated that the ID will experience a moderate decrease in referrals for admissibility hearings while the number of detention reviews will remain high. The ID will continue to prioritize detention reviews to ensure that legislative requirements and fundamental rights are respected.

EFFECTIVE CASE MANAGEMENT. In order to manage its caseload, the ID will continue to monitor scheduling activities to ensure that cases are processed in a timely fashion and that postponed cases are rapidly rescheduled. The continuous monitoring of case management practices will allow the ID to minimize adjournment and postponement rates and to resolve cases in a timely fashion. A sample of decisions will be selected for quality review, the results of which will serve to tailor training programs. Where necessary, corrective action will be taken.

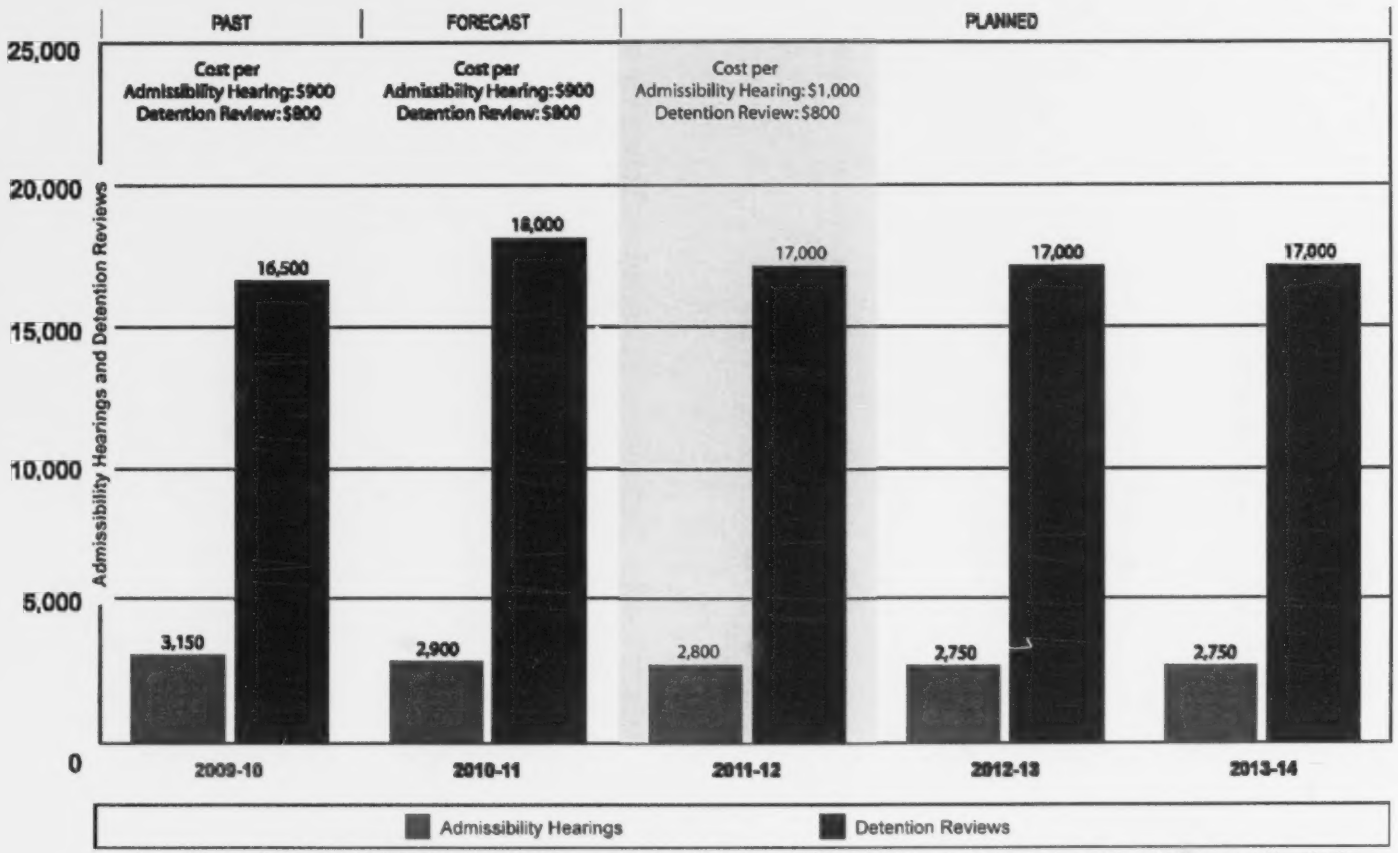
The ongoing use of case readiness measures and follow-up will allow the Division to continue to finalize the vast majority of new admissibility cases within a six-month time frame and maintain a balanced number of admissibility cases in its pending inventory. The Division will continue to promote consistency in decision-making through adjudicative tools such as member forums.

Through ongoing communication and responsible management, the ID strives for a work environment that not only builds on the individual skills and talents of its people but also recognizes their contributions to the organization.

BENEFITS FOR CANADIANS

The ID renders decisions that maintain the security of Canadian society and uphold Canada's commitment to and reputation for justice and fairness for individuals. It is with this sense of responsibility that the IRB maintains the balance between individual rights and the security of Canadians.

Admissibility Hearings and Detention Reviews



Note: The numbers of admissibility hearings have been rounded off to the nearest fifty and the numbers of detention reviews to the nearest hundred.

PROGRAM ACTIVITY 4

IMMIGRATION APPEAL

DESCRIPTION

The Immigration Appeal Division (IAD) delivers the **Immigration Appeal program activity.** It hears immigration appeals from Canadian citizens and permanent residents whose applications to sponsor close family members to Canada have been refused. Other key functions include hearing appeals from permanent residents, foreign nationals with a permanent resident visa, protected persons who have been ordered removed from Canada, and permanent residents outside Canada who are alleged to have not fulfilled their residency obligation.

Additional information on the IAD is available at www.irb-cisr.gc.ca/eng/tribunal/iadsai/pages/index.aspx

Program Activity: IMMIGRATION APPEAL					
Human Resources (FTEs) and **Planned Spending** ($ Millions)					
2011-12		**2012-13**		**2013-14**	
FTEs	**Planned Spending**	**FTEs**	**Planned Spending**	**FTEs**	**Planned Spending**
124	14.7	124	14.7	124	14.7
Expected Result					
Quality decisions rendered and cases resolved in a timely manner regarding immigration appeals					
Performance Indicators	**Targets**				
Clarity, completeness, conciseness and timeliness of decisions	Target is *"Meet Expectations"*, on a scale currently being developed.				
Percentage of appeals finalized without a hearing	It is expected that 38% of appeals will be finalized without a hearing.				
Ratio of finalized appeals to filed appeals	It is anticipated that approximately 7,000 appeals will be filed in 2011-12. We expect to finalize approximately 6,500 appeals resulting in a ratio of 93%.				
Average cost per appeal finalized	The average cost per appeal finalized is anticipated to be approximately $3,100, depending on the number of appeals finalized.				
Average appeal processing time	It is expected that the average processing time will increase slightly to 12.6 months in 2011-12.				

2011-12 PLANNING HIGHLIGHTS

DECISION-MAKERS. The IAD's highly trained decision-makers conduct hearings that are varied in appeal type and process. The IAD is committed to effective management in which clear expectations and established performance measures for quality and quantity of decisions are communicated to decision-makers and monitored.

PREPARATION FOR REFORM IMPLEMENTATION. The IAD is sharing its experience and technical knowledge in operating an appellate division through the participation of key personnel in the RAD working group and other reform-related implementation committees.

INVENTORY. The IAD is forecasting an intake of 7,000 filed appeals for 2011-12. The inventory of appeals awaiting finalization will increase slightly to 12,100 by the end of 2011-12. Stayed removal order appeals, forecast at 1,900, are included in that pending inventory. A slight increase in the average processing time is anticipated due, in part, to a reduction in the Alternative Dispute Resolution (ADR) program (linked to pressures on CBSA resources), resulting in fewer early finalizations without a hearing.

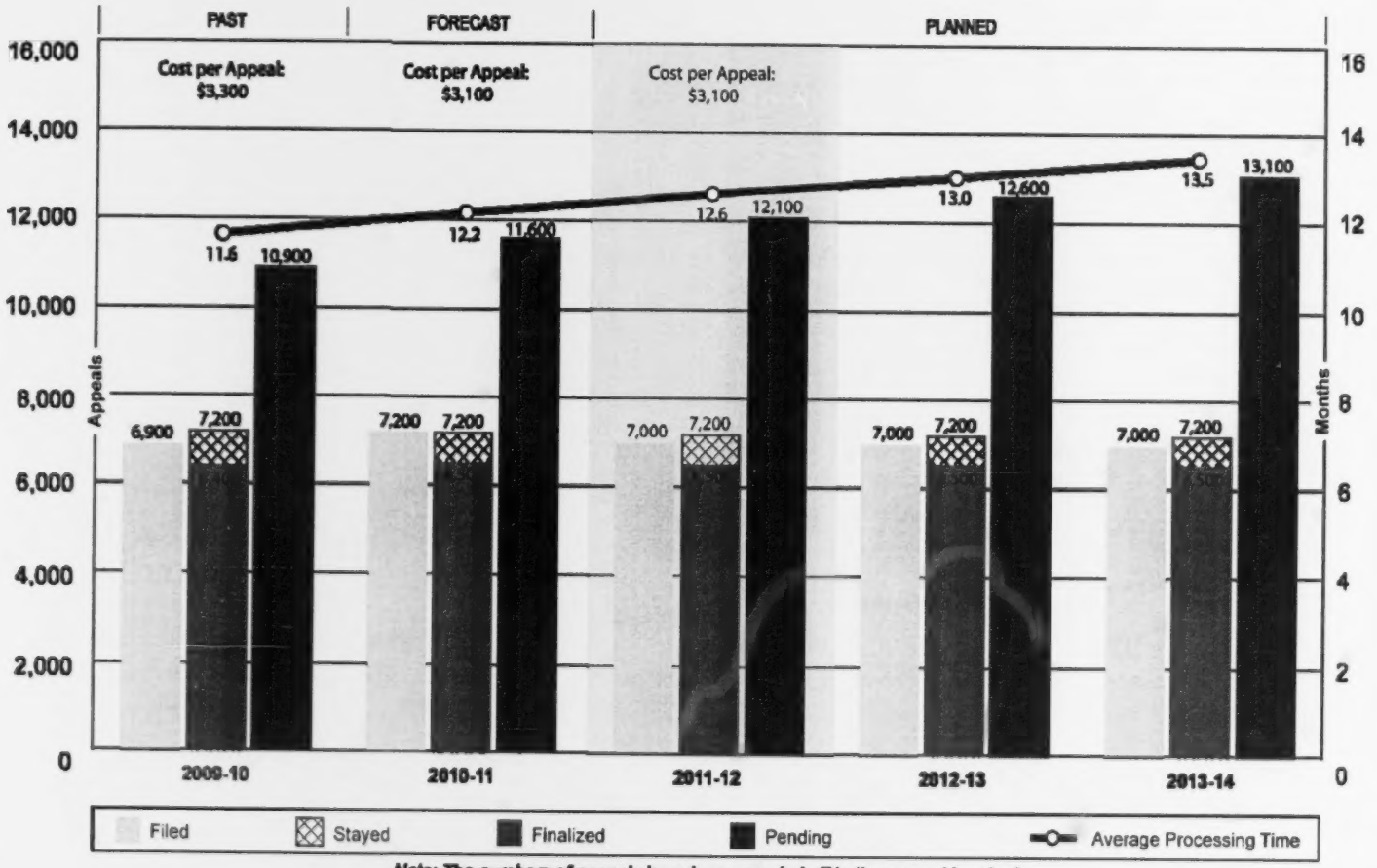
CASE MANAGEMENT. The IAD will continue to respond in a flexible manner to match resources with regional caseloads by sharing decision-makers among regions and by conducting hearings via videoconference where appropriate. Case management strategies will focus on increasing early resolution of appeals without a hearing (pending availability for appeal hearings of CBSA's Minister's counsel), enhancing hearing readiness, scheduling appeals strategically to increase efficiencies, and monitoring reasons for postponements and adjournments. The IAD remains committed to maintaining a high level of productivity and to rendering quality decisions in a timely manner.

PORTFOLIO LINKAGES. The IAD will continue to work with the CBSA to quickly finalize appeals that the CBSA has screened for early resolution and will promote CBSA's continued participation in the ADR program. The IAD will also continue to facilitate the hearing of appeals where the Minister's counsel has chosen to participate through written submissions only. Work undertaken with the CBSA on case management innovations will continue, as always, to respect the adjudicative independence of IAD decision-makers.

BENEFITS FOR CANADIANS

Through its sponsorship appeals work, the IAD recognizes the Government's commitment to family reunification as well as the contributions of immigrants to the strength and vitality of Canadian society and culture. Through its work on removal order appeals, the IAD enhances public safety while maintaining the balance with individual rights.

Immigration Appeal



Note: The numbers of appeals have been rounded off to the nearest hundred.

PROGRAM ACTIVITY 5

INTERNAL SERVICES

DESCRIPTION

Internal Services are groups of related activities and resources required to support the needs of all four tribunal programs and other corporate obligations of the IRB. These services are: Management and Oversight; Communications; Legal; Human Resources Management; Financial Management; Information Management; Information Technology; Procurement and Assets Management; Internal Audit and Evaluation; and other administrative services. Internal Services include only those activities and resources that apply across the organization and not those provided to a specific program.

Program Activity: INTERNAL SERVICES					
Human Resources (FTEs) and Planned Spending ($ Millions)					
2011-12		2012-13		2013-14	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
302	35.7	292	32.1	292	32.0

2011-12 PLANNING HIGHLIGHTS

MANAGEMENT AND OVERSIGHT. During 2011-12, the IRB will continue to focus on two areas of management and oversight: staffing and systems development. More specifically:

- The IRB will complete the implementation of the recommendations of a 2009 report of the Public Service Commission (PSC) staffing audit and will conduct its staffing activities in accordance with the PSEA and the PSC's core values of merit, non-partisanship, representativeness, access, fairness and transparency. In this regard, the IRB will continue to implement a staffing monitoring framework that complies with the Staffing Management Accountability Framework (SMAF) of the PSC.
- The IRB will carry out, in collaboration with the Chief Information Officer Branch of the TBS, an independent review of the IRB's STAR Modernization Project. This review will provide assurance to IRB senior management and to the TBS that the project is progressing according to plan.

COMMUNICATIONS. During 2011-12, the IRB will continue to engage with key partners, national and international stakeholders, and the public through its Outreach and Communications programs and international activities. Through its work in this area, the IRB will facilitate information and best practice sharing and enhance others' understanding of its mandate and operations to aid in implementing its key initiatives and priorities.

LEGAL. Legal Services will focus its activities on the development of the new rules for both the RPD and the RAD, as well as providing ongoing advice, support and guidance on all aspects related to the implementation of the BRRA. It will also ensure that any proposed new aspects of operations, service delivery, policy development, corporate direction and management decisions are in compliance with all relevant legal requirements. Legal Services will continue to provide training and support to newly appointed decision-makers and offer advice, including risk analysis, regarding innovative adjudicative strategies. Throughout this period of change, Legal Services will continue to provide substantial support and advice on complex cases involving classified information related to national security or criminal intelligence.

HUMAN RESOURCES MANAGEMENT. The implementation of the BRRA will continue to drive human resources management activities in 2011-12. The introduction of the new RPD requires the development and implementation of a new organizational structure, work descriptions and staffing and training strategies, as well as learning strategies to support new employees and assure career progression and mobility for existing employees. Additionally, there will be a focus on workplace well-being throughout this period. Attention will also be directed to embedding a monitoring framework for staffing and building HR capacity.

FINANCIAL MANAGEMENT. During 2011-12, the IRB will focus its efforts on implementing the *Policy on Internal Control* and its specific obligations related to financial reporting, as well as the new reporting requirements related to the Quarterly Financial Reports and Future-Oriented Financial Statements.

INFORMATION MANAGEMENT. The IRB currently has an MOU with Library and Archives Canada (LAC) for the storage of files and records. While the MOU will remain in effect during 2011-12, LAC is currently in the process of reviewing its service delivery model. During 2011-12, the IRB will assess the impact for future years and develop records storage options.

INFORMATION TECHNOLOGY. Information Technology (IT) at the IRB is shaped by new and emerging business priorities and on-going systems and infrastructure maintenance and upgrades. In 2011-12, IT efforts will focus on the modernisation of existing legacy applications in order to support the successful implementation of the BRRA through the capturing and communication of key information to allow for the scheduling, tracking and managing of cases.

PROCUREMENT AND ASSETS MANAGEMENT. The IRB will continue to strengthen its procurement functions by improving processes and providing guidance and training to managers. In addition, the IRB will implement new green directives to ensure environmental assessments are considered when planning the life-cycle process for planned procurement and current IRB assets.

INTERNAL AUDIT. In 2010, the IRB developed a three-year audit plan that meets the requirements of the Office of the Comptroller General of Canada and the TBS *Policy on Internal Audit*. This audit plan is based on a risk-based methodology, which places significant emphasis on risk management and core management controls, while taking into account the changes to the

IRB as a result of the BRRA. The table included in the supplementary information section depicts the audit projects identified under this audit plan from 2010-11 to 2012-13. The IRB's Audit Committee will continue to provide the IRB Chairperson with added assurance and advice, independent from line management, on risk management, control and governance.

EVALUATION. As a small department as defined in the TBS *Policy on Evaluation*, the IRB is not subject to all the requirements of the policy. An evaluation of the IRB's scheduling practices is being used as the basis for the plans to improve the scheduling of IRB proceedings. At the same time, the IRB is laying the groundwork for a five-year evaluation plan based on risk, information needs and the three-year horizontal evaluation of the new refugee determination process led by CIC.

SECTION III
SUPPLEMENTARY INFORMATION

FINANCIAL HIGHLIGHTS

The financial statements can be found on the IRB's Web site at:
www.irb-cisr.gc.ca/eng/brdcom/publications/peren/pages/rpp1112.aspx

FUTURE-ORIENTED FINANCIAL STATEMENTS

For the period ending March 31, 2011

Condensed Statement of Operations ($ Millions)			
	% Change	Future-Oriented 2011-12	Future-Oriented 2010-11
EXPENSES			
Total Expenses	14.2%	169.3	148.2
REVENUES			
Total Revenues	0%	0	0
NET COST OF OPERATIONS	14.2%	169.3	148.2

The projected increase in the net cost of operations for 2011-12 is mainly related to sunset funding in order to prepare for and implement the reform to Canada's refugee determination system under the BRRA, which is expected to come into force in late 2011.

SUPPLEMENTARY INFORMATION TABLES

In accordance with TBS directions, the IRB is also required to provide the following supplementary information tables in electronic format only:

- Greening Government Operations
- Internal Audits and Evaluations

These tables and all electronic supplementary information tables found in the *2011-12 Report on Plans and Priorities* are available on the TBS Web site at:
www.tbs-sct.gc.ca/rpp/2011-2012/info/info-eng.asp

SECTION IV

OTHER ITEMS OF INTEREST

IRB PROCESSES

Visit these links to find out how the IRB processes its cases:

- Refugee Protection Claim Process
  www.irb-cisr.gc.ca/eng/brdcom/references/procedures/proc/rpdspr/pages/rpdp.aspx
- Admissibility Hearing Process
  www.irb-cisr.gc.ca/eng/brdcom/references/procedures/proc/idsi/pages/ahp.aspx
- Detention Review Process
  www.irb-cisr.gc.ca/eng/brdcom/references/procedures/proc/idsi/pages/drp.aspx
- Sponsorship Appeal Process
  www.irb-cisr.gc.ca/eng/brdcom/references/procedures/proc/iadsai/info/pages/sah.aspx
- Removal Order Appeal Process
  www.irb-cisr.gc.ca/eng/brdcom/references/procedures/proc/iadsai/info/pages/roa.aspx
- Residency Obligation Appeal Process
  www.irb-cisr.gc.ca/eng/brdcom/references/procedures/proc/iadsai/info/pages/residenc.aspx

CONTACT US

For more information, visit the IRB Web site at www.irb-cisr.gc.ca or contact the IRB's Communications Directorate at info@irb-cisr.gc.ca or one of the IRB offices listed below.

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